

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAMSEY COULTER

v.

SAGESTREAM, LLC

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CIVIL ACTION NO. 20-1820

ORDER

This 17th day of November, 2020, Defendant's Motion to Dismiss for lack of subject-matter jurisdiction and for failure to state a claim upon which relief can be granted (ECF 9) is **GRANTED in part** and **DENIED in part**, as follows:

Defendant's Motion to Dismiss for lack of subject-matter jurisdiction is **DENIED** as to paragraphs 63 through 67 of Plaintiff's Amended Complaint (ECF 4). Defendant's motion is **GRANTED** as to paragraphs 68 through 69 of Plaintiff's Amended Complaint.

Defendant's Motion to Dismiss for failure to state a claim upon which relief can be granted is **DENIED** as to paragraphs 63 through 67 of Plaintiff's Amended Complaint (ECF 4). Defendant's motion is **GRANTED** as to paragraphs 70 through 72 of Plaintiff's Amended Complaint.

Plaintiff's surviving claims relate solely to Defendant's alleged violations of 15 U.S.C. §§ 1681e(b) and 1681i(a), as outlined in paragraphs 63 through 67 of Plaintiff's Amended Complaint and as discussed in the accompanying memorandum. All other claims are dismissed.

/s/ Gerald Austin McHugh
United States District Judge